

## **REMARKS/ARGUMENTS**

### **Examiner Interview on September 14, 2007**

This Second Supplemental Amendment was made pursuant to an Examiner Interview on September 14, 2007, in which the Examiner suggested removing certain of the claim recitations for "or" in the claims, such as, for example, Claim 79. The Examiner further indicated that, should the claims be re-drafted to include only subject matter supported in the parent case, U.S. Pat. No. 6,278,884, to which this application claims priority, then such claims would be in good position for allowance.

### **Claim Amendments and Arguments In Support of Allowance**

In this Second Supplemental Amendment, Applicant has **amended** claims 79-81, 87, 90-93, 95-101, 108, 111, 113-114, 116-121, 129-131, 133-134, 136-139, 147-151, 154-155, and 157-161 and **added** new claims 162-169. Claims 1-78 were previously canceled. Therefore claims 79-169 remain pending in this application.

Applicant respectfully submits that the subject matter in at least claims 79, 81, 91, 100, 111, 162-169 are entitled the benefit of the filing date of April 25, 1997 for the earliest-filed parent application, Serial No. 08/846,108, now U.S. Pat. No. 6,278,884 to which this application claims priority. The subject matter in these claims are disclosed in the '884 patent.

Claims 79-119, 134, 152 and 159-161 are believed to be distinguishable from Naim and Kondo for at least the reason that these claims recite an

apparatus comprising "a sensor for detecting any one or a combination of a sound, motion and images" or "a sensor adapted for detecting any one or a combination of: low ambient light, motion, sounds, light, image, acceleration or deceleration." There is no corresponding disclosure in Naim or Kondo directed to an apparatus having these features.

Claims 83-87, 103-107, 120-137, 141-145, 156-158, 160-161 are further distinguishable from Naim and Kondo for at least the reason that they are directed to the apparatus comprising a replaceable memory card having certain claimed features, which are not disclosed in Naim or Kondo.

With respect to Kondo, Applicant respectfully wishes to address the following assertion in the Office Action:

Kondo teaches card socket comprises a spring for directly contacting a replaceable memory card for removing the card from the socket and the replaceable memory card for removing the card from the socket and the replaceable memory card comprises corner-cut rectangular shape for matching the shape of the card socket when the entire card is positioned therein (See figs. 22-28 and col. 10 line 6 to col. 11 line 35).

Office Action, dated April 9, 2007, at page 5. Applicant respectfully disagrees.

Applicant respectfully submits that Kondo does not disclose the card socket described and claimed in Applicant's apparatus. Specifically, Kondo does not describe Applicant's card socket comprising an engagement element and a spring, wherein the engagement element mates with the engagement feature of the replaceable memory card in the socket and wherein the spring urges the removal of the replaceable memory card from the socket upon releasing the engagement element from the engagement feature.

Referring specifically to the disclosure in Kondo cited in the Office Action at Figs. 22-28 and col. 10 line 6 to col. 11 line 35, the "coil spring 130" is described as being in contact with an incorrect insertion-preventive member and as urging it to close the receptacle opening to prevent dust from entering into the receptacle:

Further the incorrect insertion-preventive member 125 is pivoted and forced clockwise in the plane of FIG. 25 under the action of a coil spring 130. When the receptacle 122 is not used, the member 125 closes the opening 123 to block dust or the like from coming into the receptacle 122.

Col. 10, at lines 34 to 41. In contrast, the spring in Applicant's claimed invention is adapted to facilitate the removal of the replaceable memory card from the socket by urging the card out of the socket. There is no corresponding disclosure or teaching in Kondo as to the spring described and claimed in Applicant's invention.

Claims 93, 113, 131, and 149 are further distinguishable from Naim and Kondo for at least the reason that they are directed to an apparatus further comprising an electronic stethoscope. There is no corresponding disclosure in Naim or Kondo as to a similar apparatus comprising an electronic stethoscope.

With respect to claims 138-140 and 146-155, Applicant respectfully submits these claims, as well as the other claims pending in this application, are distinguishable from Naim. For example, the device disclosed in Naim requires a hard drive to which data is transferred to and from:

One particularly important aspect of the present invention is the use of a hard drive (such as the kind typically used in a lap top or

notebook computer), which is a delicate and high power consuming device.

Naim, U.S. Pat. No. 6,694,200 at col. 10, lines 50-53 and col. 11, lines 62-65. In contrast, Applicant's invention does not contemplate the use of such a hard drive. In particular, claims 138-140 and 146-155 recite that the memory means "is adapted to store data captured from the data receiving means" which, in turn, is selected from a camera, a video camera microphone, a wired remote microphone, a replaceable memory card socket having a spring and an internal engagement element, a radio, a jack, and a GPS. With respect to Kondo, Applicant incorporates its arguments distinguishing Kondo in its previous response to non-final office action, filed June 27, 2006.

#### **Request for Examiner Interview**

Counsel for Applicant respectfully requests a telephone interview to discuss this Second Supplemental Amendment. Applicant attaches herewith FORM PTOL-413 with a proposed date and time for the interview of September 28, 2007 at 1:00 p.m. (EST).

**Conclusion**

The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 50-3683.

Respectfully submitted,



Date: September 19, 2007

Michelle C. Kim  
Attorney for Applicants  
Registration No. 51,881

CUSTOMER NUMBER  
**58688**  
U.S. PATENT AND TRADEMARK OFFICE

**Connolly Bove Lodge & Hutz LLP**  
355 South Grand Avenue  
Suite 3150  
Los Angeles, CA 90071-1560  
(213) 787-2500